

Initial Statement of Reasons
Title 13, Division 1, Chapter 1
Article 3.3 – Special Plates

The Department of Motor Vehicles (department) proposes to amend Sections 205.00, 205.02, 205.04, 205.06, 205.08, 205.12, and 205.14 in Article 3.3, Division 1, Chapter 1 of the California Code of Regulations, relating to Special Plates.

BACKGROUND

Assembly Bill (AB) 462 (Chapter 497, Statutes of 2007) amended Vehicle Code section 5004.1 relating to Model Year Date License Plates, commonly known as the Year of Manufacture (YOM) Program. Those amendments allowed a 1969 or older model passenger vehicle or a 1972 or older model commercial vehicle to utilize previously-issued California license plates that correspond to the model year of the vehicle when it was originally produced. The department, under authority granted by Vehicle Code sections 1651 and 5110, adopted regulations in March 2010 to specify which license plate configurations would be acceptable for registration under the YOM program.

**PROBLEMS THIS DEPARTMENT INTENDS TO ADDRESS AND BENEFITS
ANTICIPATED FROM THE REGULATORY ACTION**

Senate Bill (SB) 1429 (Chapter 157; Statutes of 2016) amended Vehicle Code section 5004.1 to expand the YOM program to include vehicles with a model year of 1980 or older. Due to the expansion of the YOM program, the department is again required to adopt regulations to specify which license plates colors and configurations will be acceptable for registration.

CONSIDERATION OF ALTERNATIVES

The department must determine that no reasonable alternative considered, or that has otherwise been identified and brought to the attention of the department, would be more effective in carrying out the purpose for which this action is proposed, would be as effective and less burdensome to affected private persons that the action proposed, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

COMPARABLE FEDERAL AND STATE REGULATIONS:

The department conducted a review of regulations and has determined that there are no other comparable state or federal regulations related to the application process for the Year of Manufacture license plate program.

§ 205.00. Definitions.

Amendments made to Section 205.00 consist of several non-substantive changes to the following:

Subsection (b) amends 'base year' to 'base-year' and changes 'model years' to 'a model year'.

Subsection (c) amends 'year model' to 'model year'.

Subsection (d) amends 'stuck onto' to 'affixed to' and specifies that a validation year sticker is required for specified year model vehicles. Validation stickers are discussed at greater length with the amendments to Section 205.04.

§ 205.02. Application Requirements for Year of Manufacture License Plates.

Subsection (a) is amended to update the revision date of the Year of Manufacture (YOM) License Plate Application, Form REG 352 from Rev. 2/2009 to Rev. 1/2017.

Year of Manufacture (YOM) License Plate Application, Form REG 352

The form REG 352 was originally adopted in 2010 with OAL File number 2010-0121-06S (Register 2010; No. 10).

Changes between the 2009 version and the 2017 version include the following:

The information solicited in Sections 1 and 2 of the form REG 352 continue to be consistent with those provisions identified in Section 205.02(a)(1) through (a)(10), however, the IMPORTANT INFORMATION FOR APPLICANT portion has been expanded due to the acceptance of more plate configurations.

1. The YOM plates described in this application must be authentic as originally issued by the Department of Motor Vehicles (DMV). The plates must be serviceable and have the approval of DMV Headquarters. Plates may be restored but not replicated.
 - This provision is consistent with number one on the previous version of the form, however, there is now a provision that allows the plates to have been restored.
2. The YOM program extends only to 1980 and older year model auto, commercial, motorcycle or trailer vehicles.
 - This provision is adopted to ensure consistency with Vehicle Code section 5004.1 that expanded the YOM program to vehicles with a model year of 1980 and older.
3. Two YOM plates are required for qualifying auto and commercial vehicles.

NOTE: In 1945 and 1946, the department issued only one plate for all types of vehicles, therefore, only one plate is required for 1945 and 1946 vehicles.

 - This provision is consistent with number eight on the previous version of the form REG 352.

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4. The YOM plate number cannot conflict with any license plate configuration currently in use.
 - This provision is consistent with number two on the previous version of the form REG 352.
5. Configuration of letters and numbers **cannot** carry any connotations offensive to good taste and decency.
 - This provision is consistent with number three on the previous version of the form REG 352.
6. 1963 and newer YOM plates must be compatible to the vehicle they are being assigned to (auto plates to autos, commercial plates to commercial vehicles, trailer plates to trailers, motorcycle plates to motorcycles).
 - This provision is necessary to specify that 1963 through 1969 year model autos, trailers, and motorcycles must use a plate that is compatible to the vehicle being assigned. The YOM applicant is responsible for proving that the year model of the vehicle described in the application is correct. This information will ensure the department can verify that the plate configuration is correct for the type of vehicle and that the model year is compatible.
7. 1963 to 1969 year model autos, commercial, trailers, and motorcycles must utilize black base plates with 6 yellow characters **only**. 1964 to 1969 year model vehicles must have a 1963 base plate with the corresponding year sticker. (e.g. a 1965 auto must have a 1963 auto base plate with a 1965 year sticker.)
 - These statements are consistent with the provisions of Section 205.06(a) and (b).
8. 1970 to 1974 year model commercial vehicles must utilize blue plates with 6 yellow characters. A 1963 base plate with any 1970's year sticker is not acceptable for YOM registration.
 - This statement is consistent with the provisions of Section 205.06(e).
9. 1975 to 1980 year model commercial vehicles may utilize blue plates with 6 yellow characters **or** blue plates with 7 yellow characters.
 - This statement is consistent with the provision being adopted in Section 205.06(f).
10. 1970 to 1979 year model noncommercial vehicles must use blue plates with 6 yellow characters.
 - This statement is consistent with the provision being adopted in Section 205.06(c).
11. 1980 year model noncommercial vehicles may use blue plates with 6 yellow characters **or** blue plates with 7 yellow characters.
 - This statement is consistent with the provision being adopted in Section 205.06(d).

12. If you wish to retain YOM plates that are assigned to a vehicle in which the vehicle is **not** currently registered, a retention fee is due each year.

- This statement is consistent with the provision being adopted in Section 205.14.

The perjury statement contained in Section 3 remains the same, however, the verbiage has been rearranged.

§ 205.04. Year of Manufacture License Plates for Vehicles with Model Years Prior to 1963.

Subsections (a) and (a)(1) are amended to provide greater clarity to the concept of base-year plates and validation stickers. In the 1940s, 1950s and early 1960s, plates were issued every few years and a registration validation metal tab or sticker was issued for years in between. For example, all vehicles were issued new license plates in 1951 with the year '1951' being imprinted in the plate. During 1952 through 1955, a metal tab was issued each year when the registration was renewed. The metal tab was placed over the year stamped in the plate. This section is necessary to make clear that a vehicle with a model year that does not have a corresponding base-plate, is required to have the appropriate validation sticker.

§ 205.06. Year of Manufacture License Plates for Vehicles with Model Years 1963 Through 1980.

The title of Section 205.06 is amended to include vehicles through 1980.

Subsection (b) contains a non-substantive amendment to change 'year model' to 'model year'.

Subsections (c) through (f) are amended to identify license plate color/number configurations acceptable for YOM program registration. The department, in an effort to maintain order and consistency in YOM program, has determined it necessary to limit plate configurations to those defined in subsections (c) through (f) of Section 205.06. The license plate colors and number configurations provided in subsections (c) through (f) are consistent with those that would have been issued to vehicles during the years specified.

Subsection (g), formerly subsection (d), is adopted due to renumbering of the subsections above, however, the rule remains unchanged.

§ 205.08. Eligibility.

Section 205.08 contains two non-substantive amendments to subsection (b). The amendments include beginning the subsection with the word 'the' and changing 'year model' to 'model year'.

§ 205.12. Transferring Vehicles Displaying Year of Manufacture License Plates.

Section 205.12, subsection (b)(1), is amended to update the revision date of the form REG 352 from 2/2009 to 1/2017. Changes to the form are outlined in Section 205.02 of this Initial Statement of Reasons. Subsection (b)(2) is amended to remove the form name and revision date.

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§ 205.14. Retention of Year of Manufacture License Plates.

Section 205.14, subsection (a)(1), is amended to update the revision date of the form REG 352 from 2/2009 to 1/2017. Changes to the form are outlined in Section 205.02 of this Initial Statement of Reasons.

DEPARTMENTAL DETERMINATIONS

- Technical, Theoretical and/or Empirical Studies, Reports or Documents: None.
- Reasonable Alternatives That Would Lessen Any Adverse Impact on Small Business: No alternatives were considered or presented that would lessen any adverse impact on small business.
- Evidence Supporting Determination of No Significant Adverse Economic Impact on Business, Including the Ability to Compete: Participation in the department's YOM program is voluntary and the provisions do not have a significant adverse economic impact on businesses.

ECONOMIC AND FISCAL IMPACT DETERMINATIONS

- Cost Or Savings To Any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impact on Representative Private Persons or Businesses: Because this is a voluntary program, the department has determined that this proposed action has no cost impact on private persons or businesses.
- Effect on Housing Costs: None.
- Local Agency/School District Mandates: The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.
- Small Business Impact: This proposed action has no impact on small businesses. The provisions only establish acceptable license plate color/number configurations that are acceptable based on the year model of the vehicle.
- Potential significant statewide adverse economic impact on business: This action is unlikely to have any significant statewide adverse economic impact on businesses.

**ECONOMIC IMPACT ASSESSMENT
(Government Code section 11346.3)**

The department has made the following determinations related to this proposed regulatory action:

Creation or Elimination of Jobs Within the State of California

- This proposed action defines acceptable license plate color/number configurations for qualifying vehicles. None of the provisions of this proposed action will create or eliminate jobs within California.

Creation or Elimination of Existing Businesses Within the State of California

- This proposed action defines acceptable license plate color/number configurations for qualifying vehicles. None of the provisions of this proposed action will create or eliminate existing businesses within California.

Expansion of Business Currently Doing Business Within the State of California

- This proposed action defines acceptable license plate color/number configurations for qualifying vehicles. None of the provisions of this proposed action will expand businesses currently doing business in California.

Benefits of Regulation to the Health and Welfare of California Residents, Worker Safety and the State's Environment

- This action is unlikely to benefit the health and welfare of California residents, worker safety or the State's environment. This action may have negligible benefits related to the promotion of fairness and social equity by extending the same provisions granted to black/gold plates to blue/gold plated vehicles from the 1970s.